

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

FRANKLIN L. WILLIAMS,

Petitioner,

v.

K. EDENFIELD, Warden,

Respondent.

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CIVIL ACTION NO.: CV510-077

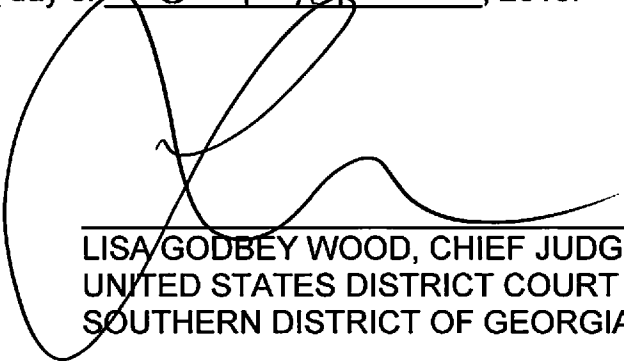
ORDER

After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Williams asserts that his petition should be construed as a 28 U.S.C. § 2241 motion and that he satisfies the savings clause of 28 U.S.C. § 2255. Williams makes this assertion without providing any evidence or indication that his claim is based upon a retroactively applicable Supreme Court decision—a predicate for satisfying the savings clause.

Williams' Objections to the Magistrate Judge's Report and Recommendation are without merit. The Report and Recommendation of the Magistrate Judge is adopted as

the opinion of the Court. Williams' Petition is **DISMISSED**. The Clerk of Court is directed to enter the appropriate Judgment of dismissal.

SO ORDERED, this 6 day of October, 2010.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA